

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NO. C 06-03219 JW

Ryan Investment Corp.,

Plaintiff,

v.

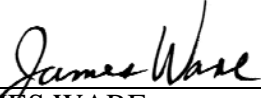
Pedregal De Cabo San Lucas et al.,

Defendants.

**ORDER VACATING HEARING
ON COUNTERDEFENDANTS'
MOTION TO DISMISS
DEFENDANT FARALLON'S
COUNTERCLAIM FOR
FAILURE TO STATE A CAUSE
AS TO THE FIRST AND SECOND
COUNTS**

The Court deems Counterdefendants' Motion to Dismiss Defendant Farallon's Counterclaim for Failure to State a Cause as to the First and Second Counts in the above entitled matter appropriate for submission on the papers. See Civ. L.R. 7-1(b). Accordingly, the hearing on September 18, 2006 is vacated.

Dated: September 13, 2006



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 George John Berger gberger@allenmatkins.com
3 Mark Aloysius Connor oconnor@horanlegal.com

4 **Dated: September 13, 2006**

Richard W. Wieking, Clerk

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6 By: /s/ JW Chambers

Elizabeth Garcia
Courtroom Deputy